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Customer No. 22,852  
Attorney Docket No. 05788.0173

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Mario MARTINELLI et al. )  
) Group Art Unit: 2874  
Serial No.: 09/883,241 )  
) Examiner:  
Filed: June 19, 2001 )  
)  
For: PASSIVE POLARIZATION )  
STABILIZER )

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Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

**UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicants bring to the Examiner's attention the document listed on attached Form PTO-1449. A copy of the listed document is attached. Applicants respectfully request that the Examiner consider the document listed on attached Form PTO-1449 and indicate that it was considered by making an appropriate notation on this form.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitute "prior art." If the Examiner applies the document as prior art against any claim in the application and applicants determine that the cited

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document does not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of this document. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: February 13, 2002

By: 

Ernest F. Chapman  
Reg. No. 25,961

Enclosures  
EFC/FPD/mld

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